

COMMISSION ON TECHNOLOGY
Agenda Information/Action Item
Meeting Date: November 5, 2010

<i>Agenda Item:</i>	<i>Type of Action Requested:</i>
<u>SUPREME COURT RULE 124 RECOMMENDATION TO AJC</u>	<input checked="" type="checkbox"/> Formal Action/Request <input type="checkbox"/> Information Only <input type="checkbox"/> Other

FROM:

Mr. Stewart Bruner, AOC Information Technology Division
Ms. Melinda Hardman, AOC Court Services Division

SUMMARY:

Because AZTurboCourt is being constructed as a statewide e-filing system for all courts and all cases, it makes sense to simultaneously revise the authorizing Supreme Court Rule 124, Electronic Filing, Delivery, and Service of Documents, published in 2000, to codify the requirements for statewide e-filing. As currently written, SCR 124 contemplates a court-by-court or county-by county approach to e-filing authorized by the presiding judge rather than the unified, statewide approach the chief justice and COT have since directed.

A team from AOC's Court Services and Information Technology Divisions has been tasked with pursuing the potential revision of S.C. Rule 124 and developing necessary technical requirements to accompany the rule, with the expectation that a formal Rule Petition would be filed by the January 2011 annual deadline. While agreement exists that filers require functional details about successfully filing through AZTurboCourt, discussion continues regarding the proper document type and approval authority for those technical details. The change process associated with court rule and code sections takes too long to make either a logical publication point for what is, initially at least, rapidly changing information. A more flexible technical standard seems the best solution at the moment. A draft of both documents is being provided to members, although the standard will continue to change and only the Rule will go forward at this time. Additional comments must be collected via the public comment portion of the formal rules petition process.

STAFF RECOMMENDATION:

Staff has worked with the team and AOC Legal to ensure the rule specifies only the minimum items necessary to ensure a unified approach to electronic case filing in the state. Staff concurs with the approach of providing users with more detailed information related to successfully filing within the AZTurboCourt application and feels COT is the appropriate body for approving/ maintaining the standards document in the interest of flexibility.

ACTION OPTIONS:
<ol style="list-style-type: none">1. MOTION -- Recommend that AJC submit the revisions to Rule 124, Rules of the Supreme Court for Electronic Filing, to the formal rules comment process, as presented.2. MOTION -- Recommend that AJC submit the revisions to Rule 124, Rules of the Supreme Court for Electronic Filing, to the formal rules comment process, but with changes as documented.3. Make no recommendation to AJC regarding submitting revisions to Rule 124, Rules of the Supreme Court for Electronic Filing, to the public comment process.4. Table the discussion about any recommendation to AJC regarding revisions to Rule 124, Rules of the Supreme Court for Electronic Filing, for a later time.